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September 25, 2024

VIA ELECTRONIC FILING

Honorable Mitchell J. Katz
United States District Court, Northern District of New York
James M. Hanley Federal Bldg. P.O. Box 7346
Syracuse, New York 13261

Re: Estate of JLA v. The Town of Dewitt et. al. 5:22-cv-00287-MAD-MJK

Dear Judge Katz;

As directed by the Court, an amended complaint was forwarded to opposing counsel prior to August 16, 2024. Despite the Amended Complaint being redlined as requested by counsel and Court, opposing counsel could not say if they were willing to agree to the changes.

However, it remains that the complaint should be amended to reflect the dismissal of the other defendants and to comport with the facts of the case as to the causes of action as to Defendant Fike.. I respectfully request a motion return date for the filing of the appropriate motion and proposed Amended Complaint. I am prepared to file this motion within this week.

Thank you for your courtesy and consideration.

Respectfully yours,

WEISBERG & ZUKHER, PLLC

David E. Zukher, Esq. /s/

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DEZ/kap
Cc: VIA ECF Filing
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